

**UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA**

1) KIDS ONLY, LLC,

Plaintiff,

v.

1) TRAVELERS CASUALTY INSURANCE  
COMPANY OF AMERICA,

Defendant.

Case No. CIV-18-932-SLP

**NOTICE OF REMOVAL**

Pursuant to 28 U.S.C. §§ 1441 & 1446(a) and LCvR 81.2, Defendant Travelers Casualty Insurance Company of America (hereinafter "Defendant"), hereby gives notice of the removal of the above-captioned action from the District Court of Cleveland County, Oklahoma to this Court. In support of this Notice of Removal, the Defendant states as follows:

1. On May 18, 2018, Plaintiff, Kids Only, LLC, filed Plaintiff's Original Petition in the District Court of Cleveland County, Oklahoma against the Defendant Travelers Casualty Insurance Company of America. Plaintiff is a corporation registered in the State of Oklahoma under the name Kids Only, LLC. Defendant is a foreign corporation doing business in the State of Oklahoma. On its face, Plaintiff's Original Petition seeks actual damages in excess of \$75,000 and additional punitive damages in excess of \$75,000. Plaintiff's Original Petition requests a jury trial.

2. Defendant was served with the Summons and Petition through the Insurance Commissioner of the State of Oklahoma as the designated agent for service of process of foreign insurance companies doing business in the State of Oklahoma on September 6, 2018.

3. Defendant hereby serves Notice of Removal of this action pursuant 28 U.S.C. § 1446(b). This Court has original jurisdiction over the subject matter of this action pursuant to 28 U.S.C. §1332 because Plaintiff and Defendant are citizens of different states and the amount in controversy exceeds \$75,000.00.

4. A copy of the docket sheet, all process, pleadings, papers, and orders served in the State Court action are attached to this Notice of Removal as exhibits as required by 28 U.S.C. § 1446(a) and LCvR 81.2.

5. Defendant will file a copy of this Notice of Removal with the District Court for Cleveland County, as required by 28 U.S.C. § 1446(d) and LCvR 81.2. A copy of the Notice to be filed in the Oklahoma State Court is attached hereto.

WHEREFORE, Defendant hereby removes the above-captioned action now pending in the District Court of Cleveland County, Oklahoma to this Court.

DATED this 24<sup>th</sup> day of September, 2018.

Respectfully submitted,

**TAYLOR, FOSTER, MALLETT, DOWNS,  
RAMSEY & RUSSELL**

s/Darrell W. Downs

DARRELL W. DOWNS, OBA #12272

[Ddowns@soonerlaw.com](mailto:Ddowns@soonerlaw.com)

JACOB R. DANIEL, OBA #32760

[Jdaniel@soonerlaw.com](mailto:Jdaniel@soonerlaw.com)

400 West Fourth Street

P.O. Box 309

Claremore, Oklahoma 74018

Telephone: 918/343-4100

Facsimile: 918/343-4900

*Attorneys for Defendant, Travelers Casualty  
Insurance Company of America*

**CERTIFICATE OF SERVICE**

☒ I hereby certify that on the 24<sup>th</sup> day of September, 2018, I electronically transmitted the attached document to the Clerk of the Court using the ECF System for filing. Based on the records currently on file, the Clerk of Court will transmit a Notice of Electronic Filing to the following ECF registrants:

J. Drew Houghton

s/Darrell W. Downs